

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

WILLIE A. HAMILTON,

Defendant.

Case No. CR06-454-RSL

**PROPOSED FINDINGS OF FACT
AND DETERMINATION AS TO
ALLEGED VIOLATIONS OF
SUPERVISED RELEASE**

INTRODUCTION

I conducted a hearing on alleged violations of supervised release in this case on March 22, 2010. The defendant appeared pursuant to a summons issued in this case. The United States was represented by Karyn Johnson, and defendant was represented by Michael Martin. Also present was U.S. Probation Officer Donald E. Moon. The proceedings were digitally recorded.

SENTENCE AND PRIOR ACTION

Defendant was sentenced on June 29, 2007 by the Honorable Robert S. Lasnik for Distribution of MDMA. He received 24 months and 3 years of supervised release.

PRESENTLY ALLEGED VIOLATIONS

In a petition dated January 15, 2010, U.S. Probation Officer Donald E. Moon alleged that defendant violated the following conditions of supervised release:

PROPOSED FINDINGS OF FACT AND DETERMINATION AS
TO ALLEGED VIOLATIONS OF SUPERVISED RELEASE - 1

1 1. Failing to work regularly at a lawful occupation since on or about February 13,
2 2009, in violation of standard condition number 5.

3 2. Committing the offense of driving while license suspended third degree, in
4 violation of RCW 46.20.342, on or about December 27, 2009, in violation of a general condition.

5 3. Failing to participate in a mental health program on or about January 4, 2010, in
6 violation of a special condition.

7 4. Failing to participate in a mental health program on or about January 4, 2010, in
8 violation of a special condition.

9 5. Failing to submit a written report for the month of December 2009, in violation of
10 standard condition 2.

11 FINDINGS FOLLOWING EVIDENTIARY HEARING

12 Defendant admitted to violations 1, 3, and 5. At the evidentiary hearing, violation 2 was
13 amended to committing the offense of operating a motor vehicle without a valid license, a
14 violation of state law, on or about December 28, 2009, in violation of a general condition.
15 Defendant admitted to amended violation 2. Violation 4 was withdrawn by the government.
16 Defendant waived any hearing as to whether they occurred and the parties were directed to
17 contact Chief Judge Robert S. Lasnik's In Court Deputy Clerk for a disposition date.

18 RECOMMENDED FINDINGS AND CONCLUSIONS

19 Based upon the foregoing, I recommend the court find that defendant has violated the
20 conditions of his supervised release as alleged above, and conduct a disposition hearing.

21 DATED this 22nd day of March, 2010.

22 

23 BRIAN A. TSUCHIDA
United States Magistrate Judge